



Order Filed on August 26, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

**Caption in Compliance with
D.N.J.LBR 9004-1**

STEWART LEGAL GROUP, P.L.

Formed in the State of Florida

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Attorney for Toyota Motor Credit Corporation

In re:

Craig William Clayton

Amy Lynne Clayton

Debtors.

Chapter: 13

Case No.: 19-26972-ABA

Hearing Date: July 27, 2021

Judge Andrew B. Altenburg Jr.

CONSENT ORDER RESOLVING MOTION TO VACATE AUTOMATIC STAY

The relief set forth on the following pages is hereby **ORDERED**.

DATED: August 26, 2021

Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Debtors: Craig William Clayton and Amy Lynne Clayton
Case No.: 19-26972-ABA
Caption of Order: **CONSENT ORDER RESOLVING MOTION TO VACATE
AUTOMATIC STAY**

THIS MATTER having been opened to the Court upon the Motion to Vacate Automatic Stay (“Motion”) filed by Toyota Motor Credit Corporation (“Creditor”), whereas the post-petition arrearage amount was \$2,703.88, as of August 6, 2021, and whereas the Debtors and Creditor seek to resolve the Motion, it is hereby **ORDERED**:

1. The automatic stay provided under 11 U.S.C. §362(a) shall remain in effect as to Creditor’s interest in the following property: **2012 Toyota Tacoma; VIN: 3TMLU4EN8CM092196** provided that the Debtors comply with the following:

- a. Commencing on or before August 28, 2021 and continuing monthly on or before the 28th day of each consecutive month, the Debtors shall cure the post-petition arrearage amount, namely, \$2,703.88, by making five (5) monthly payments of \$540.78 each directly to Creditor; and
- b. In addition to the above, the Debtors shall resume making the regular monthly payments to Creditor as they become due beginning with the August 28, 2021 payment.

2. All direct payments due hereunder not otherwise paid by electronic means and/or automatic draft, shall be sent directly to Creditor at the following address: **Toyota Motor Credit Corporation P.O. Box 9490, Cedar Rapids, Iowa 52409-9490.**

3. The Debtors will be in default under the Consent Order in the event that the Debtors fail to comply with the payment terms and conditions set forth in this Order and/or if the Debtors fail to make any payment due to Creditor under the Chapter 13 Plan.

4. If the Debtors fail to pay either the arrears and/or the contractual payments due to Creditor, and Debtors fail to cure the default within thirty (30) days from the date of default, Creditor may submit a Certificate of Default to the Court on fourteen (14) days' notice to counsel for Debtors and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11 U.S.C. § 362(a) permitting Creditor to exercise any rights under the loan documents with respect to the vehicle.

5. Notwithstanding the above, the automatic stay provided under 11 U.S.C. §362(a), shall be terminated as to Creditor on January 29, 2022, which is the maturity date of the underlying contract on the vehicle.

6. Nothing herein is intended to prevent the Debtors from seeking to pay off the balance in full to Creditor.

7. Creditor is awarded reimbursement of attorney fees and costs in the amount of \$250.00 and \$188.00 respectively, to be paid through the Chapter 13 Plan.

STIPULATED AND AGREED:

/s/ Jeanie D. Wiesner
Jeanie D. Wiesner, Esq.
Sadek & Cooper
1315 Walnut Street, Ste 502
Philadelphia, PA 19107
Counsel for Debtor

/s/ Gavin N. Stewart
Gavin N. Stewart, Esq.
Stewart Legal Group, P.L.
401 East Jackson Street, Suite 2340
Tampa, FL 33602
Counsel for Creditor

In re:
Craig William Clayton
Amy Lynne Clayton
Debtors

Case No. 19-26972-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Aug 26, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 28, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Craig William Clayton, Amy Lynne Clayton, 11 Matisse Drive, Mays Landing, NJ 08330-2267

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 28, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 26, 2021 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor Toyota Motor Credit Corporation bk@stewartlegalgroup.com
Isabel C. Balboa	on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com
Jeanie D. Wiesner	

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User: admin

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on behalf of Joint Debtor Amy Lynne Clayton jeanie@sadeklaw.com

Jeanie D. Wiesner

on behalf of Debtor Craig William Clayton jeanie@sadeklaw.com

Rebecca Ann Solarz

on behalf of Creditor Toyota Motor Credit Corporation rsolarz@kmlawgroup.com

Rebecca Ann Solarz

on behalf of Creditor MidFirst Bank rsolarz@kmlawgroup.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10